



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
EMERGENCY RESPONSE BRANCH  
9311 GROH ROAD, ROOM 216  
GROSSE ILE, MI 48138-1697

EPA Region 5 Records Ctr.  
253793

JUL 30 1999

REPLY TO ATTENTION OF:

**MEMORANDUM**

SUBJECT: **ACTION MEMORANDUM** - Request for an Emergency Removal Action at the Hastings Street Site, Detroit, Wayne County, Michigan (Site ID #B5D8)

FROM: Partap C. Lall, On-Scene Coordinator  
Emergency Response Branch - Section 1

TO: Richard C. Karl, Chief  
Emergency Response Branch

**I. PURPOSE**

The purpose of this memorandum is to request and document your approval to expend up to \$97,900 in order to abate a substantial threat to public health, welfare, and the environment posed by the release of corrosive and ignitable wastes due to fire in an abandoned warehouse at 6540 Hastings Street in Detroit, Wayne County, Michigan. This memorandum also seeks to confirm the verbal authorization of \$50,000 given to the United States Environmental Protection Agency (U.S. EPA), Response Section 1, by Linda Nachowicz, Acting Chief, Emergency Response Branch (ERB), on June 10, 1998. The emergency response action addressed the site by securing leaking waste drums and containers of paints, sampling, hazcatting, packing, and disposing them off-site at a licensed disposal facility.

On June 10, 1999, Jason El-Zein and PC Lall responded to the release in accordance with section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(a) to abate the further release of acids, solvents, paints, and oil due to abandonment and fire. Many of the paints were ignitable and contained heavy metals such as lead.

There are no nationally significant or precedent setting issues associated with the Hastings Street Site. This site is not on the National Priorities List (NPL).

**II. SITE CONDITIONS AND BACKGROUND**

CERCLIS ID #

The Hastings Street Site is located at 6540 Hastings Street in Detroit, Wayne County, Michigan, 48211 (Latitude 42°22'22.1" North, Longitude 83°03'46.2" West). The site consists of an abandoned, dilapidated warehouse building with extensive fire damage, containing approximately 150 drums and 125 paint containers, which were found on site after the fire had been extinguished. The site is bordered to the south by active railroad tracks, to the north and east by industrial operations, and to the west by Hastings Street.

The area surrounding the site meets category 1 Environmental Justice Criteria employed by U.S. EPA Superfund program due to population demographics for ethnic origin and household income.

On June 10, 1999, the Fire Marshall requested assistance from U.S. EPA, Region 5, Emergency Response Branch in order to respond to the haz mat release as a result of the fire at this site. During the initial reconnaissance, some 150 deteriorated 55-gallon drums were observed, some of them were charred by fire and some were bulging. Approximately 125 containers of paint were also observed.

Since the building is partially demolished and damaged from fire, there may be additional containers of hazardous materials buried under the rubble.

U.S. EPA On-Scene Coordinator (OSC) and Superfund Technical Assessment and Response Team (START) arrived on site on June 10, 1999. Verbal funding approval for containment and stabilization was obtained and Emergency Rapid Response Contractor (ERRS) contractor was mobilized.

### **III. THREATS TO PUBLIC HEALTH, WELFARE, OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES**

The emergency response action at the Hastings Street Site was undertaken to abate the threat to public health and the environment posed by the release of paint wastes and corrosives due to fire and vandalism. The paints contained solvents, many of which are flammable and listed as Resource Conservation and Recovery Act (RCRA) hazardous waste D001 (ignitable) pursuant to 40 C.F.R. § 261.21(b). Additionally, many of the various paints contained heavy metals, such as lead, which is listed as RCRA-hazardous waste D008 (lead) pursuant to 40 C.F.R. § 261.23(b). Furthermore, the National Contingency Plan (NCP) provides eight specific criteria for evaluation of a threat and the appropriateness of a removal action in Section 300.415, Paragraph (b)(2), Subsections (i) through (viii), 40 C.F.R. § 300.415(b)(2). The Hastings Street Site met the following NCP criteria for an emergency removal action:

- i) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants;

Leaking drums of paint solvents and paints were found scattered around after the fire. People walking through the area, as well as the animal population, were subject to dermal exposure, as well as exposure through inhalation.

- ii) Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release;

Approximately 150 deteriorated 55-gallon leaking drums of acid, paint, and paint solvents were identified. Many of the drums were bulging from increased vapor pressure.

- iii) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released;

One hundred fifty drums of acids, paints, and solvents exposed to the elements in an open area of the warehouse were subject to release because of exposure to the sun as well as subject to the contents being washed away by rain.

- iv) Threat of fire or explosion;

With ignitable liquids and solids in many of the drums, threat of fire was a real possibility if the materials were to be exposed to an ignition source.

#### **IV. ENDANGERMENT DETERMINATION**

Given the site conditions, the nature of the hazardous substances on site, and the potential exposure pathways to nearby populations described in Sections II and III above, actual or threatened releases of hazardous substances from this site, if not addressed by implementing the response actions selected in this Action Memorandum, may have resulted in an imminent and substantial endangerment to public health, or welfare, or the environment. The materials found in containers at the site include RCRA-hazardous substances D001 (ignitable waste), D008 (lead) and D002 (corrosives) as defined in 40 C.F.R. § 261.21(b) and 261.24(b).

#### **V. PROPOSED ACTIONS AND ESTIMATED COSTS**

The response actions described in this memorandum directly address actual releases of corrosive materials, volatile compounds, flammable material, heavy metals, and other pollutants at the site which posed an imminent and substantial endangerment to public health, or welfare, or the environment. Emergency activities at the site included: air monitoring, repacking containers, sampling the containers for disposal, and transporting and disposing of the material. Specifically, the following removal activities were accomplished:

1. Developed and implemented a site Health and Safety Plan;
2. Sampled containers;
3. Overpacked and secured damaged and leaking drums and pails;
4. Tested and processed samples to effect disposal of the wastes;
5. Transported and disposed of materials.

Approximately 20 drums have been observed under the building debris and plans are being made to shore up that section of the building in order to retrieve those drums. The drums will be fully characterized and properly disposed of in accordance with U.S. EPA's Off-Site Rule.

Emergency response activities under this memorandum took approximately 6 on-site working days to complete. The remaining removal activities will require an estimated additional 3 on-site working days to complete. The threats posed by identified hazardous waste materials met the criteria listed in Section 300.415(b)(2) of the NCP and were consistent with the removal actions performed.

The OSC has planned for the provision of post-emergency site control, consistent with the provisions of Section 300.415(l) of the NCP. This includes informing the City of Detroit regarding the unstable conditions of the building and possibility of additional hazardous waste containers under the rubble.

The response actions described in this memorandum directly address actual or threatened releases of hazardous substances, pollutants, or contaminants at the site which may pose an imminent and substantial endangerment to public health and safety and the environment. These response actions do not impose a burden to the affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

All hazardous substances, pollutants, or contaminants removed off site were disposed of in compliance with U.S. EPA Off-Site Rule 40 CFR § 300.440, 58 Federal Register 49215 (Sept. 22, 1993).

The detailed cleanup contractor costs are presented in Attachment 1 and estimated project costs are summarized below:

### REMOVAL PROJECT CEILING ESTIMATES

#### EXTRAMURAL COSTS:

Cleanup Contractor Costs	\$ 55,600
Contingency (20%)	11,100
Total START, including multiplier cost	<u>10,000</u>
Extramural Subtotal	\$ 76,700
 Extramural Contingency (15%)	 <u>\$ 11,500</u>
 TOTAL EXTRAMURAL COSTS	 \$ 88,200

#### INTRAMURAL COSTS:

U.S. EPA Direct Costs [(\$30 x (100 Regional Hours + 10 HQ Hours))]	\$ 3,300
U.S. EPA Indirect Costs (\$64x 100 Regional Hours)	<u>6,400</u>
 TOTAL INTRAMURAL COSTS	 <u>\$ 9,700</u>
 TOTAL REMOVAL PROJECT CEILING ESTIMATE	 \$97,900

#### Applicable or Relevant and Appropriate Requirements

All applicable or relevant, and appropriate requirements (ARARs) of Federal and State law were complied with to the extent practicable.

Emergency response activities performed pursuant to this Action Memorandum shall, to the extent practicable considering the exigencies of the situation, attain ARARs identified by the Michigan Department of Environmental Quality (MDEQ). Accordingly, site conditions were discussed with Jon Russell of MDEQ, Environmental Response Division, on June 10, 1999.

A one-time generator identification number has been obtained for the site.

#### **VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN**

Delayed or non-action would have resulted in the increased likelihood of a direct contact threat to human or wildlife populations accessing the site. Increased soil and

surface water contamination would also have occurred if the response action was delayed.

**VII. OUTSTANDING POLICY ISSUES**

None.

**VIII. ENFORCEMENT**

For administrative purposes, information concerning the enforcement strategy for this site is contained in the Enforcement Confidential Addendum.

**IX. RECOMMENDATION**

This decision document represents the selected removal action for the Hastings Street Site, Detroit, Wayne County, Michigan, developed in accordance with CERCLA, as amended, and is not inconsistent with the NCP. This decision is based upon the Administrative Record for the site. Conditions at the site meet the NCP Section 300.415(b)(2) criteria for a removal and I recommend your approval of this removal action. The total project ceiling, if approved, will be \$97,900. Of this, an estimated \$78,200 may be used for cleanup contractor costs. You may indicate your decision by signing below:

APPROVE: Richard Karl DATE: 7-30-99  
Chief, Emergency Response Branch

DISAPPROVE: \_\_\_\_\_ DATE: \_\_\_\_\_  
Chief, Emergency Response Branch

Enforcement Addendum

Attachments

Cleanup Contractor Cost Estimate

Administrative Record Index

cc: K. Mould, U.S. EPA HQ, 5202-G  
M. Chezick, U.S. Department of Interior, w/o Enf. Addendum  
A. Howard, MDEQ, Lansing, w/o Enf. Addendum  
R. Harding, MDEQ, w/o Enf. Addendum  
J. Granholm, MI Dept. Of Attorney General, w/o Enf. Addendum

BCC LIST

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REDACTED

NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION

**ENFORCEMENT ADDENDUM  
HASTINGS STREET SITE  
DETROIT, WAYNE COUNTY, MICHIGAN  
JULY 1999**

**ENFORCEMENT CONFIDENTIAL  
DO NOT RELEASE UNDER FOIA**



**ATTACHMENT 1  
DETAILED CLEANUP CONTRACTOR COST ESTIMATE  
HASTINGS STREET SITE  
DETROIT, WAYNE COUNTY, MICHIGAN**

**JULY 1999**

The estimated cleanup contractor costs necessary to complete the removal action at the Van Buren Township Abandoned Drums Emergency Response Site are as follows:

Personnel	\$21,600
Equipment	\$12,000
Subcontractors	\$ 6,500
Transportation and Disposal	<u>\$15,500</u>
<b>TOTAL</b>	<b>\$55,600</b>

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ATTACHMENT 2

U.S. ENVIRONMENTAL PROTECTION AGENCY  
REMOVAL ACTION

ADMINISTRATIVE RECORD  
FOR  
HASTINGS STREET SITE  
DETROIT, WAYNE COUNTY, MICHIGAN

ORIGINAL  
JULY 27, 1999

<u>NO.</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
1	06/09/99	National Response Center	Maritote, J., U.S. EPA	NRC Incident Report re: the Hastings Street Site	2
2	06/21/99	Lall, P., U.S. EPA	Distribution List	POLREP #1 (Initial) for the Hastings Street Site	3
3	06/21/99	RTI Laboratory	Aulick, L., Earth Tech	Analytical Data Report for the Hastings Street Site	4
4	06/30/99	Lall, P., U.S. EPA	Distribution List	POLREP #2 for the Hastings Street Site	2
5	00/00/00	Lall, P., U.S. EPA	Karl, R., U.S EPA	Action Memorandum: Request for an Emergency Removal Action at the Hastings Street Site (PENDING)	

INDEPENENT GOVERNMENT COST ESTIMATE

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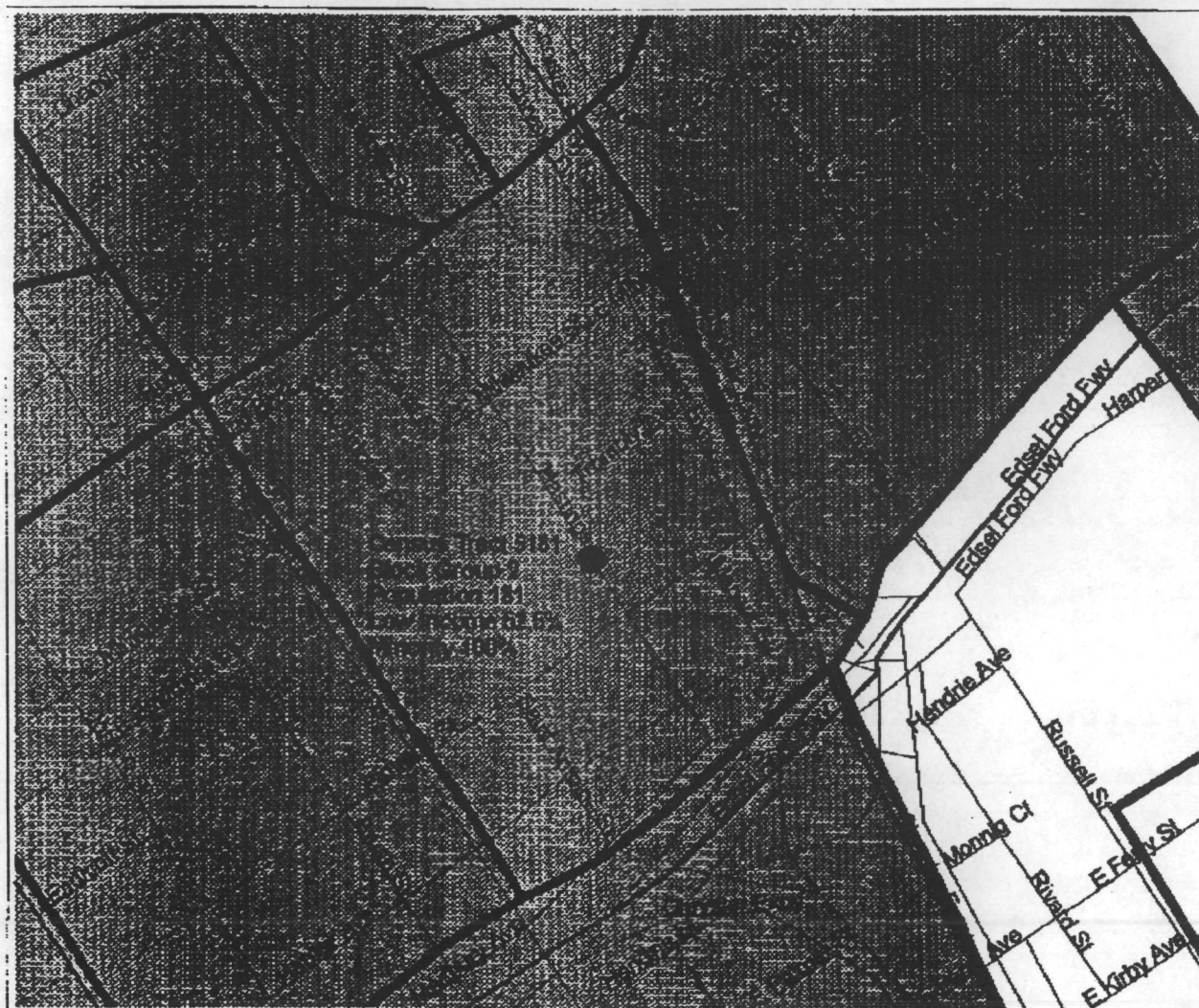
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NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION

# Region 5 Superfund EJ Analysis

## Hastings Street Site Detroit, Michigan

JUL-14-99 11:05 FROM:



0 0.2 0.4 0.6 Miles

### EJ Identification

- Low Income and Minority Less than State Average
- Low Income or Minority at or Greater than State Average
- Low Income or Minority 2 Times or Greater than State Average [meets Region 5 EJ Case criteria]
- Site Location
- Block Group Boundary

Region 5 EJ Case Criteria for Michigan  
 Minority: 36% or greater  
 Low Income: 58% or greater



Date of Map: 7/12/99

Source of Map: 1990 Census Database

ID:

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